

**SUBDIVISION REVIEW SHEET****CASE NO.:** C8J-2018-0208**ZAP DATE:** August 20, 2019**SUBDIVISION NAME:** Live Oak Springs Preliminary Plan**AREA:** 51 acres**LOT(S):** 32**OWNER/APPLICANT:** Artek Investments (David Knapp)**AGENT:** Civil Insite, LLC (Gregg Andrulis)**ADDRESS OF SUBDIVISION:** 9406 Morning Hill Dr.**DISTRICT NUMBER:** N/A**GRIDS:** WY17**COUNTY:** Travis**WATERSHED:** Slaughter Creek**JURISDICTION:** 2-Mile ETJ**EXISTING ZONING:** N/A**MUD:** N/A**NEIGHBORHOOD PLAN:** N/A**PROPOSED LAND USE:** single-family residential

**ADMINISTRATIVE WAIVERS:** The applicant has requested an administrative waiver to the requirement to plat the entire tract. The applicant is the owner of the balance of the tract and does not wish to plat the remainder of the property at this time.

**VARIANCES:** None

**SIDEWALKS:** Sidewalks will be provided on one side of all internal streets.

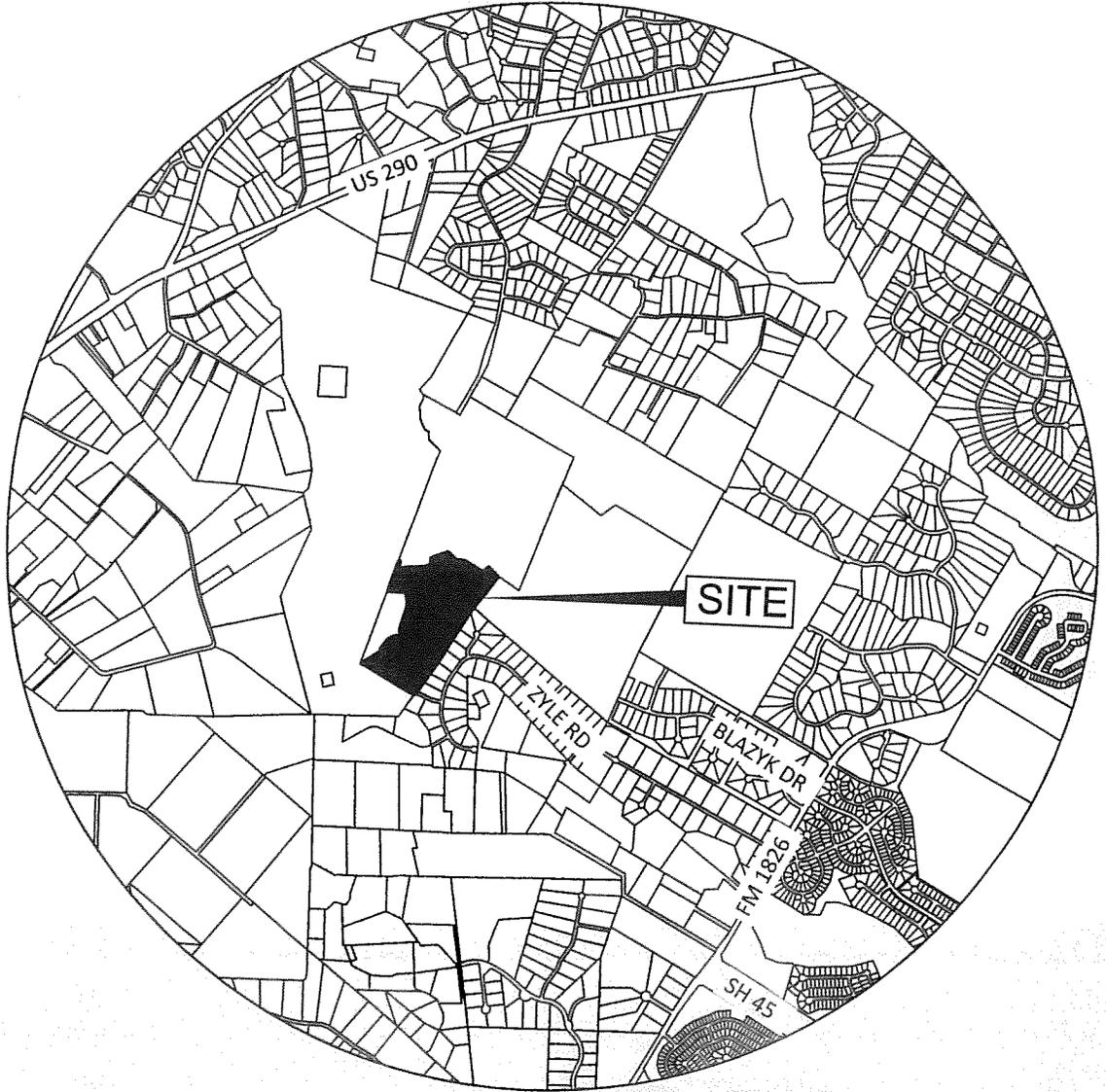
**DEPARTMENT COMMENTS:** The request is for approval of the Live Oak Springs. The proposed plat is composed of 32 lots on 51 acres, (30 residential lots and 2 open space/drainage lots). The lots will take access via an internal street network via the extension of Morninghill Drive to Zyle Road. The plat has been approved for adequate fire flow by the Travis County Fire Marshall's office. Water service will be provided by the West Travis County Public Utility Agency and on-site septic will be provided for wastewater. The developer will be responsible for all costs associated with any required improvements.

**STAFF RECOMMENDATION:** The staff recommends approval of the plat. This plat does not meet all applicable State and City of Austin LDC requirements.

**ZONING AND PLATTING COMMISSION ACTION:**

**CITY STAFF:** Don Perryman  
**E-mail:** [don.perryman@austintexas.gov](mailto:don.perryman@austintexas.gov)

**PHONE:** 512-974-2786



1" = 3000'

LOCATION MAP



David Knapp, Manager Artek Investments LLC  
3801 North Capital of Tx Hwy  
Suite E240-180  
Austin, Tx 78746

February 7, 2019

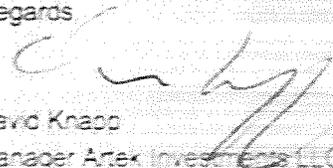
David Knapp, Manager Artek Investments LLC  
3801 North Capital of Tx Hwy  
Suite E240-180  
Austin, Tx 78746

Subject: Balance of Tract

As the sole manager of Artek Investments LLC, which solely owns the 164.60 acres of land out of the William S Holton Survey, No 57, Abstract No 378, it is my responsibility under the City of Austin regulation 30-2-34 to request all owners of land that is a portion of this tract and contiguous to the land included in the application for Live Oak Springs to provide written confirmation that (a) the owner's land is not a legal lot or tract; and (b) the owner must plat the land before the city may approve a development permit or a utility company may provide initial or additional service.

As Artek Investments LLC is the sole owner of both the 46.9 acres associated with the Live Oak Springs application and the remaining balance of tract, 117.7 acres, this letter serves both the request for written confirmation and the written confirmation that the balance of tract is not a legal lot or tract and that it must be platted before the city may approve a development permit or a utility company may provide initial or additional service.

Regards

  
David Knapp  
Manager Artek Investments LLC

**From:** Erick Faul

**Sent:** Thursday, August 15, 2019 8:12 AM

**To:** Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Perryman, Don <Don.Perryman@austintexas.gov>

**Subject:** Request ZAP Postponement of Case #: C8J-2018-0208. Live Oak Springs

Andrew,

I wanted to send a formal letter asking to postpone the review of this case by 1 month. It is schedule to be heard next Tuesday the 20th, we (Derecho Drive - Southwest Hills Neighborhood) is asking for one month delay. We believe this is a reasonable request as:

1. We have been meeting consistently with the city staff about the Balance of Tract letter for this case and we were just provided that this week and haven't had time to review that with the neighborhood.
2. Last year during the ZAP and City Council review of this case, the neighborhood wanted to proceed with the City Council review in early Sept, but the developer asked to delay that by 1 month, which the neighborhoods agreed to and I believe it is standard city practice to grant both sides a delay; this is our delay ask.
3. Many of the people who are on the "interested party list" didn't receive notice of the hearing, I am 500 ft from the land so I received notice just 8 days before the ZAP meeting, which is disappointing since I have met with the city and county at least 10 times about this development and wasn't given any notice other then the letter.
4. The neighborhoods are mostly families and Tuesday is the first day of school, this meeting is at 6 pm, which will reduce the number of concerned citizens. Please remember we packed the City Council hall last time, since this is so important to 2 neighborhoods and over 200 families.

Net/net, we feel that the Balance of Tract letter is a good start, but not completely in line with what we had talked about with the city/county staff and would like more then 5 business days to review this critical document that will dictate the developers ability to side-step city/count laws.

Regards

Erick

**From:** Diane Chapa <

**Sent:** Wednesday, August 14, 2019 8:22 PM

**To:** Perryman, Don <Don.Perryman@austintexas.gov>

**Cc:** Elizabeth Cubberley <

Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Buddy Chapa <

**Subject:** Case #: C8J-2018-0208 Live Oak Springs ZAP meeting Aug 20-postponement request

Don, I am requesting a postponement of the Live Oak Springs hearing at the August 20 Zoning and Platting commission meeting. A request was also made by Friends of Zyle Road on Tuesday morning, and I too am making this request since my husband and I had planned to be out of town on the 20th.

As a resident living on Morninghill Drive this project will severely impact our home and access to Zyle Road. There are several factors in the phasing plan of the development that cause great concern.

1. This is the same plan that was rejected last year. Now the owner is devising a way to get his 86 lots through a phasing program. This is being done without a second access as required by City of Austin Code.
2. Also, there is no mention of the replacement of mail boxes on Morninghill Drive due to the street construction.
3. Our concerns regarding safety for our residents remain a huge issue which is not addressed in these documents.

Please advise me if a delay can be approved so our neighborhood can have time to review this latest proposal.

Thanks,  
Diane Chapa  
9405 Morninghill Drive

### **Diane Chapa**

**From:** Lauren Ice <apache@  
**Sent:** Tuesday, August 13, 2019 9:51 AM  
**To:** Rivera, Andrew <Andrew.Rivera@austintexas.gov>  
**Cc:** lauren  
**Subject:** Postponement request: Aug 20 Live Oak Springs hearing

This message is from Lauren Ice.

Dear Mr. Rivera,

I represent Friends of Zyle Road, and am requesting a postponement on their behalf of the Live Oak Springs public hearing currently scheduled for ZAP's August 20, 2019 meeting. Friends requests that the hearing be postponed until the ZAP meeting scheduled for September 17, 2019.

The primary neighborhood representative from Zyle Road is currently unavailable on the 20th and on September 3. I am also out of town on the 20th. And it is my understanding that the primary neighborhood contact from Derecho Road is also unavailable on the 20th.

In light of the long and complicated history of this proposed development, and the close contact between the neighbors and the City and County staff, Friends feels especially surprised to learn of this hearing on such short notice, having heard nothing about it in recent communications. Also, Friends and neighbors have recently requested public information from the City and County related to this preliminary plan. Since that information has not yet been provided, a postponement would be appropriate. A postponement to Sept 17 would not only allow the neighborhood representatives to attend the public hearing, but to have their position and comments be informed with all the requested information.

Friends has been clear that they are not necessarily opposed to the planned development, but would like the opportunity to review requested information, and to discuss their concerns related to the requested balance of the tract waiver. Friends would commit to working with the Applicant and staff to address these concerns between now and Sept 17, but expects they would need until Sept 17 to do so.

Since myself and the neighborhood representatives are currently unavailable on the 20th, we'd like to request that the applicant agree to the postponement prior to August 20, 2019. I will be sending a copy of this request to counsel for the applicant.

Thank you,  
Lauren Ice  
Counsel for Friends of Zyle Road